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*Counsel for Marblegate Asset Management, LLC*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**In re:**

**CIRCUIT CITY STORES, INC., ET AL.,**

**Debtors.**

)  
)  
)  
) **Case No. 08-35653**  
) **Chapter 11**  
) **Jointly Administered**  
)  
)  
)

**MOTION TO ADMIT JASON M. RUDD PRO HAC VICE**

Pursuant to Local Bankruptcy Rule 2090-1(E)(2), Robert S. Westermann (the "Movant"), a member in good standing of the Bar of the Commonwealth of Virginia and the United States Bankruptcy Court for the Eastern District of Virginia, files this motion with the Court for an Order permitting admission of Jason M. Rudd, Esquire, of the law firm of Diamond McCarthy, LLP, Two Houston Center, 909 Fannin Street, Suite 1500, Houston, Texas 77010, to appear and practice *pro hac vice* on behalf of Marblegate Asset Management, LLC in these jointly administered Chapter 11 bankruptcy proceedings commenced by the Debtors. In support thereof, the Movant states the following:

1. Jason M. Rudd is an attorney licensed to practice law in the State of Texas and is a member in good standing of the Texas Bar. Mr. Rudd is also admitted to practice before the

United States District Courts for the Northern, Southern, and Western Districts of Texas. A true and accurate copy of his *pro hac vice* application is attached hereto as **Exhibit A**.

2. He is not the subject of any pending disciplinary or grievance proceedings.

3. Mr. Rudd has read and shall be governed by the local rules of this Court, the rules of professional conduct and all other requirements governing the professional behavior of members of the Virginia Bar.

**WHEREFORE**, the Movant respectfully requests the entry of the order attached hereto as **Exhibit B**, authorizing Jason M. Rudd to appear *pro hac vice* in these jointly administered cases only, and for such other and further relief as the Court deems just and proper.

Dated: November 10, 2010

MARBLEGATE ASSET MANAGEMENT, LLC

By: /s/ Robert S. Westermann  
Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of November, 2010, I caused a true and correct copy of the foregoing Motion to be electronically served by the Court's CM/ECF system to counsel for all necessary parties, including counsel for the Debtor and to the Office of the U.S. Trustee.

/s/ Robert S. Westermann

Counsel